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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,384	01/28/2008	Naoki Sumi	1176/305	3320
46852	7590	02/28/2011	EXAMINER	
LIU & LIU 444 S. FLOWER STREET, SUITE 1750 LOS ANGELES, CA 90071			MALDONADO, JULIO J	
			ART UNIT	PAPER NUMBER
			2823	
			NOTIFICATION DATE	DELIVERY MODE
			02/28/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/540,384

Applicant(s)

SUMI, NAOKI

Examiner

JULIO J. MALDONADO

Art Unit

2823

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-18, 24, 25, 27-29 and 32-37 is/are allowed.
- 6) ☒ Claim(s) 19-23, 26, 30 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 19 is objected to because of the following informalities: in claim 19, lines 8 – 9, where the applicants recite, "...wherein said sacrificial electrode and said first conductive portion are different portions form from same layer on a substrate", change to --wherein said sacrificial electrode and said first conductive portion are different portions from a same layer on a substrate--. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 19-23, 26, 30 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Lin (U.S. 2004/0104434 A1).

In reference to claim 19, Lin (Fig.3g1) discloses an electronic device comprising a first conductive portion (320) containing a first metal or metal compound having a first equilibrium electrode potential; a second conductive portion (3231) containing a second metal having a second equilibrium potential, said second conductive portion (3231) being electrically connected to said first conductive portion (320); and a sacrificial

electrode (3211) electrically connected to said first (320) and second (3231) conductive portions, wherein said sacrificial electrode (3211) and said first conductive portions (320) are different portions from a same layer on a substrate (311) (Lin, [0016] – [0019]).

In reference to claim 20, Lin discloses wherein said sacrificial electrode is directly connected to said second conductive portion (Lin, see Fig.3g1).

In reference to claim 21, Lin discloses wherein said sacrificial electrode and one of said first and second conductive portions are integrally formed (Lin, [0016] – [0019]).

In reference to claim 22, Lin discloses wherein said sacrificial electrode contains said first metal or metal compound (Lin, [0016] – [0019]).

In reference to claim 23, Lin discloses wherein second conductive portion lies on the top of said first conductive portion (Lin, see Fig.3g1).

In reference to claim 26, Lin discloses wherein said first conductive portion is electrically connected to said second conductive portion via a hole of an insulating film (Lin, see Fig.3g1).

In reference to claim 30, Lin discloses wherein said electronic device comprises a third conductive portion, and wherein said first conductive portion covers a part of said third conductive portion (Lin, see Fig.3g1, reference character 312).

In reference to claim 31, Lin discloses wherein said third conductive portion is at least part of a gate material (Lin, see Fig.3g1, reference character 312).

Allowable Subject Matter

4. Claims 14-18, 24, 25, 27-29 and 32-37 allowed.

Response to Arguments

5. Applicant's arguments with respect to claims 19-23, 30 and 31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JULIO J. MALDONADO whose telephone number is

(571)272-1864. The examiner can normally be reached on Mon-Fri, 8:00 A.M.-4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Smith can be reached on (571)-272-1907. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Julio J. Maldonado
Primary Examiner
Art Unit 2823

/Julio J. Maldonado/
Primary Examiner, Art Unit 2823